

### **Declaration of Julianne Germinder**

COMES NOW Julianne Germinder and declares under penalty of perjury the following:

1. I am a Principal and founder of the Columbia, Missouri law firm TGH Litigation, LLC. This affidavit is made of my own personal knowledge as to the matters discussed in it.

2. I received my undergraduate degree magna cum laude in political science and economics from the University of Missouri in May 2005. I graduated from Washington University School of Law in 2008. I worked as an Associate in the Labor & Employment section of the law firm of Spencer, Fane, Britt & Browne, LLP following law school. In 2009, I became an Assistant Attorney General for the Missouri Attorney General's Office where I started in the labor division and then spent 6.5 years in the litigation section where I eventually became a team leader and the leader of employment litigation until I resigned in 2017 to begin TGH Litigation, LLC.

3. At TGH Litigation, LLC I am one of three principals who manage and first-chair jury trials in which we represent plaintiffs in employment and civil rights cases.

4. I am a member of the Kansas City chapter of the National Employment Lawyers Association and a member of the National Employment Lawyers Association. I have been a speaker at a variety of CLEs related to employment law.

5. I have tried nineteen cases to jury verdict including cases in state and federal court in Missouri and the federal court for the District of Kansas.

6. In 2020, I was honored with a Litigation Practice award at the Missouri Lawyers Weekly's 2020 Women's Justice Awards.

7. The availability of attorneys' fees to successful litigants in civil rights cases serves two significant purposes. First, it ensures effective access to the judicial process for litigants with meritorious claims. *Hensley v. Eckerhart*, 461 U.S. 424, 429 (1983). Second, civil rights litigation serves an important public purpose by protecting and clarifying important constitutional rights. *Milton v. Des Moines, Iowa*, 47 F.3d 944, 946 (8th Cir. 1995).

8. Employment claims (and civil rights claims in general) are more difficult and riskier than many other types of litigation such as personal injury. This is true for several reasons. First, many of the economic damages are small, as Plaintiffs typically do a laudable job of mitigating their losses by securing other employment. Second, the injuries themselves are not visible, and are sometimes therefore difficult for jurors to fully appreciate. Third, liability is typically proven only through circumstantial evidence. And, thus, liability is invariably at issue in these cases. Fully compensable fees are essential in employment litigation to attract attorneys of quality and experience who have other profitable demands on their time. The rates requested here are very much in line with rates charged by similarly experienced defense firms for the same work even though defense firms are guaranteed payment without any risk of nonpayment.

9. During my time working for the Missouri Attorney General, I came to know Kirk Holman as opposing counsel in some of my employment cases. I also supervised lawyers with cases against Mr. Holman and observed Mr. Holman in jury trials against the AGO. Mr. Holman was a successful plaintiff's attorney in cases against the AGO and obtained numerous six and seven figure judgments in those cases.

10. Mr. Holman has been practicing law for over twenty-three years. Mr. Holman is a very experienced trial lawyer with at least seven million or multi-million dollar verdicts and

many more six figure verdicts. He has been repeatedly honored by the profession to which he has devoted his life's work.

11. For example, Mr. Holman has been selected by Missouri Lawyers Weekly in 2020 and 2021 as one of "The Power 30 – Employment Law," recognizing him as one "the 30 most powerful employment attorneys in Missouri." He has been named "Best of the Bar" and a "Missouri/Kansas Super Lawyer" and is rated AV Preeminent® by Martindale-Hubbell, among many other accolades.

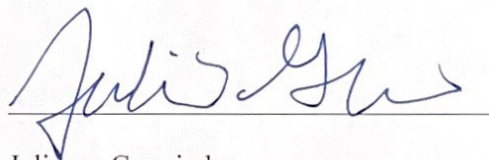
12. I am also professionally familiar with Brandon Corl through our time serving together on the Missouri Bar Young Lawyers Section Council and through our involvement in the Kansas City chapter of the National Employment Lawyers Association. Mr. Corl graduated from law school two years before I did. Following law school, he served as law clerk to a Missouri state court judge, from October 2006 to August 2008. Since completing this clerkship, he has been engaged in the private practice of law for over fourteen years. Mr. Corl currently concentrates his practice on representing plaintiffs in personal injury and employment-related matters. He also has experience litigating products liability/mass torts cases in state and federal courts, including significant pretrial deposition and discovery work in federal multi-district litigation cases.

13. I have knowledge of the fees charged by attorneys throughout the State of Missouri because my practice both in private practice and as an assistant attorney general has involved cases across the state. The hourly rate (\$550) requested for Mr. Holman is consistent with the hourly rates charged by other experienced employment and civil rights attorneys in the state including here in the mid-Missouri area. The hourly rate (\$475) requested for experienced

associate attorney, Brandon Corl, is consistent with hourly rates for attorneys of his experience level in this area.

14. Furthermore, the time expended by Mr. Holman (over 300 hours) and Mr. Corl (over 50 hours) is reasonable based on my experience similar litigating similar claims and based on my knowledge of other similar cases. In my firms last four employment fees awards, my firm was awarded a range of fee awards based on over 500 total hours of time expended, over 674 total hours of time expended, over 756 total hours of time expended, and over 984 total hours expended of time expended on four and five day employment trials. There have been numerous employment cases in Missouri that have resulted in fee awards of more than 1000 hours. Moreover, representation by multiple lawyers during various phases of complex litigation is fairly routine.

I hereby declare under penalty of perjury that the information contained in this Declaration is true and accurate.

A handwritten signature in blue ink, appearing to read "Julianne Germinder", written over a horizontal line.

Julianne Germinder

Dated: 12/27/2022